

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

In re Application of:

THE GOVERNMENT OF GHANA

Applicant.

Case No. 2:11-mc-09002 ✓

**DECLARATION OF JEFFREY J. AMATO IN SUPPORT OF THE APPLICATION OF  
THE GOVERNMENT OF GHANA  
FOR DISCOVERY PURSUANT TO 28 U.S.C. § 1782**

Jeffrey J. Amato hereby declares as follows:

1. I am an attorney with the law firm of Dewey & LeBoeuf LLP, counsel to the Applicant The Government of Ghana. I make this declaration, of my own personal knowledge, in support of the Application for Discovery Pursuant to 28 U.S.C. § 1782.

2. Attached hereto as Exhibit A is a true and correct copy of Summons and Statement of Claim, dated June 25, 2010, in *Attorney-General v. Balkan Energy Co. LLC, et al.*, No. BDC/32/10 (Superior Court of Judicature, High Court of Justice, Accra).

3. Attached hereto as Exhibit B is a true and correct copy of the Statement of Defence, dated October 13, 2010, in *Attorney-General v. Balkan Energy Co. LLC, et al.*, No. BDC/32/10 (Superior Court of Judicature, High Court of Justice, Accra).

4. Attached hereto as Exhibit C is a true and correct copy of the First Amended Petition for Damages, dated August 20, 2009, in *ProEnergy Servs. LLC, et al. v. Balkan Energy Co.*, No. 09-4026-CV-CSOW (W.D. Mo.).

5. Attached hereto as Exhibit D is a true and correct copy of Balkan Energy Company's Original Answer Including Affirmative Defenses and Counterclaim, dated May 26, 2009, in *ProEnergy Servs. LLC, et al. v. Balkan Energy Co.*, No. 09-4026-CV-CSOW (W.D. Mo).

6. Attached hereto as Exhibit E is a true and correct copy of Plaintiff's First Amended Petition, dated January 8, 2010, in *Balkan Energy Co. v. ProEnergy Servs. Int'l, Inc.*, No. 09-01944 (Tex.).

7. Attached hereto as Exhibit F is a true and correct copy of a Ruling, dated September 6, 2010, in *Attorney-General v. Balkan Energy Co. LLC, et al.*, No. BDC/32/10 (Superior Court of Judicature, High Court of Justice, Accra).

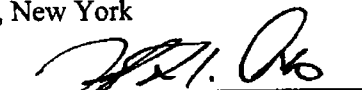
8. Attached hereto as Exhibit G is a true and correct copy of a Declaration of Solomon Kwami Tetteh, dated June 15, 2006, filed in *BCI Aircraft Leasing, Inc., et al. v. Republic of Ghana, et al.*, No. 06 C 0130 (N.D. Ill.).

9. Attached hereto as Exhibit H is a true and correct copy of an Order, dated October 4, 2010, in *ProEnergy Servs. LLC, et al. v. Balkan Energy Co.*, No. 09-4026-CV-CSOW (W.D. Mo).

10. Attached hereto as Exhibit I are the proposed Requests for Production of Documents that the Government of Ghana seeks court approval to serve on ProEnergy Services International, Inc. and ProEnergy Services LLC.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 25, 2011 in New York, New York

  
Jeffrey J. Amato